

***Remarks***

Reconsideration of this Application is respectfully requested.

Claims 1-44 are pending in the application, with 1, 13, 20, 29, 33, and 38 being the independent claims. Claims 2-12, 14-19, 21-28, 30-32, 34-37, and 39-44 are sought to be amended. Claims 14-19, 21-28, 30-32, and 34-37 have been amended to further clarify the subject matter within, without changing their scope. No new matter was entered by any amendments, therefore entry thereof is respectfully requested.

Based on the above amendments and following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

***Allowable Subject Matter***

The Examiner has indicated that claims 13-37 are allowed. Applicant gratefully acknowledges the early indication of allowed claims.

***Rejection under 35 U.S.C. § 102***

The Examiner has rejected claims 1-12 and 38-44 under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 7,191,219 to Udell *et al.* (hereinafter, "Udell"). For the reasons set forth below, Applicant respectfully traverses.

Independent claim 1, as amended herein, recites features that distinguish over the applied reference. For example, as will be explained below, Udell does not teach or suggest at least "*cryptographically* associating the document retention policy with the electronic document."

For example, an exemplary implementation of this distinguishing feature is described in the specification of the present application:

After a secured electronic document has been retained for the duration of the document retention policy, the associated security criteria becomes no longer available, thus preventing subsequent access to the secured electronic document. In other words, access restrictions on electronic documents can be used to prevent access to electronic documents which are no longer to be retained.

*See* Specification at paragraph [0012].

Udell is directed to a system that automatically destroys documents or emails. The emails and documents are destroyed at some predetermined time by a virus that is attached to the original document or email. *See* Udell at Abstract. In column 5, line 65 to column 6, line 9 of Udell, the section of Udell the Examiner relies on, an example of a conventional document retention policy installed in a local area network is given. The conventional example is given to provide reference to existent problems within conventional document retention and destruction systems. The example conventional document retention policy given in Udell requires documents that are two or more years old be destroyed. In general, "such a document retention policy will be implemented by installing a program on [a] server which periodically scans the primary network storage facility and deletes documents which have a creation date of more than two years earlier than the current scanning date." *See* Udell, col. 6, ll. 1-6. The problem with this program is that it "fails to adequately account for copies of the documents which are not stored in the network storage facilities." *See* Udell, col. 6, ll. 6-9.

The Examiner found that this example document retention policy system of Udell anticipates all elements of claim 1 recited above. However, in contrast to the document destruction teaching of Udell, claim 1 recites "*cryptographically* associating the

document retention policy with the electronic document," which is not taught or suggested by anything in Udell.

Because Udell does not teach each and every feature of claim 1, it cannot anticipate that claim. Dependent claims 2-12 are also not anticipated by Udell for the same reasons as independent claim 1, from which they depend, and further in view of their own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 1-12 under 35 U.S.C. § 102(b) be reconsidered and withdrawn.

Independent claim 38 includes a similar distinguishing feature as found in claim 1. For example, claim 38 recites, "*cryptographically* associating the data retention policy with the electronic data." As noted above in regard to claim 1, Udell does not teach or suggest "*cryptographically* associating the data retention policy." Therefore, Udell cannot anticipate claim 38. Dependent claims 39-44 are also not anticipated by Udell for the same reasons as independent claim 38, from which they depend, and further in view of their own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 38-44 under 35 U.S.C. § 102(b) be reconsidered and withdrawn.

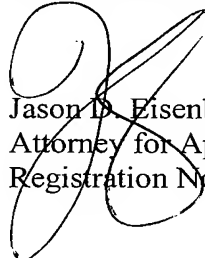
***Conclusion***

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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